

Tiny homes

Fact sheet



Fixed tiny homes

A small dwelling built on a lot



Mobile tiny homes

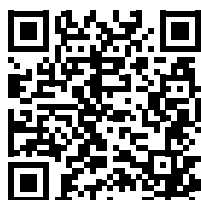
A small dwelling built on a trailer that can be registered under the Road Transport Act (similar to a caravan)

Do I need council approval?

Approval requirements depend on whether the tiny home is fixed or mobile:

Fixed tiny homes

- It will require a Development Application (DA) or Complying Development Certificate (CDC) and potentially additional permits (Construction Certificate, water/sewer connections, Section 68 approval, Occupation Certificate).
- Must comply with local planning controls, including the Port Stephens Local Environmental Plan (LEP), Port Stephens Development Control Plan (DCP) and State Environmental Planning Policy (Housing) 2021.
- When built as a secondary dwelling, it must be on a lot with an existing primary dwelling and meet the LEP total floor area requirements.
- Local Infrastructure Contributions and State Housing and Productivity Contributions may apply.



pscouncil.info/demystifying-development-applications

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PORT STEPHENS
COUNCIL

Mobile tiny homes

The installation of moveable dwellings that are registered with the Transport for NSW as a caravan is largely regulated under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Ground, and Moveable Dwellings) Regulation 2021. View the legislation here: bit.ly/moveable-dwellings

Under Part 3 Subdivision 3 of the Regs, the approval of the council is not required for the installation of the following:

- a) 2 caravans or tents if they are not occupied for more than 2 consecutive days and more than 60 days in a 12 month period.
- b) 1 caravan on land occupied by the owners of the caravan in connection with the owner's dwelling house if the caravan is used for habitation only by the owner or members of the owner's household and maintained in a safe healthy condition.
- c) A caravan on pastoral or agricultural land if the caravan is merely occupied seasonally by persons employed in pastoral or agricultural operations on the land.

d) A moveable dwelling or associated structure on land to accommodate a person who has been displaced as a result of a natural disaster if the moveable dwelling or associated structure is maintained in a safe and healthy condition and removed within 2 years after it is installed or if the relevant local approvals policy for the moveable dwelling or associated structure specified a longer period - the longer period.

Should the use not comply with any of the above standards, then approval through a DA or CDC.

Relevant legislation

- Port Stephens Local Environmental Plan 2013 bit.ly/port-stephens-lep
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 bit.ly/moveable-dwellings
- Port Stephens Development Control Plan pscouncil.info/development-control-plan
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 bit.ly/exempt-complying-development

Definitions



Primary home (dwelling house)

A lot containing one dwelling and to be assessed as a primary dwelling. Related infrastructure will be required (such as access, car parking, essential services etc).



Secondary dwelling (granny flat)

A self contained dwelling that is established in conjunction with another dwelling (primary dwelling).



Tiny home on wheels (moveable dwelling)

A self contained moveable dwelling that contains shower and toilet facilities.



Manufactured home

A self-contained dwelling that comprises one or more major section and that is not a motor vehicle, trailer or other registrable vehicle.

